

## **FISCAL NOTE**

### **HB 2853 - SB 3127**

February 14, 2002

#### **SUMMARY OF BILL:**

- Adds new language to TCA 57-3-406(f) to allow retailers to store open bottles and containers of damaged and unmarketable product for purpose of return to a wholesaler or such open bottles and containers required for conducting a sales demonstration as permitted by TCA 57-3-404(h).
- Amends TCA 57-3-404(h) by adding language that allows a wholesaler licensed pursuant to TCA 57-3-203 or a person holding a permit as a representative or sales person pursuant to TCA 57-3-203(d) to conduct a sales demonstration on the premises of a licensed retailer and for such limited purpose, may provide free samples to the employees of a licensed retailer for consumption on such premises. A retail licensee may conduct such a sales demonstration for the persons employed by such licensee holding permits, issued pursuant to TCA 57-3-204(c), using products and samples provided by a wholesaler or wholesaler sales representative notwithstanding the absence of the wholesaler or wholesaler sales representative. All such demonstrations shall be permitted only for sales, education, and promotional purposes and no one other than a retail licensee, a person holding a permit issued pursuant to TCA 57-3-204(c), a wholesaler or a wholesaler sales representative, or a person holding a permit issued pursuant to TCA 57-3-202(d) may be present in the room where such demonstration is conducted or may receive a sample for consumption.

#### **ESTIMATED FISCAL IMPACT:**

**MINIMAL**

#### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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